

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

In re: VANWINKLE, DEREK LEE
VANWINKLE, STACEY LEIGH

§ Case No. 14-02251
§
§
§

Debtor(s)

**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY
ADMINISTERED AND APPLICATION TO BE DISCHARGED (TDR)**

Paul D. Gresk, chapter 7 trustee, submits this Final Account, Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: <u>\$125,100.00</u> <i>(without deducting any secured claims)</i>	Assets Exempt: <u>\$11,642.00</u>
Total Distributions to Claimants: <u>\$167,351.21</u>	Claims Discharged Without Payment: <u>\$213,821.94</u>
Total Expenses of Administration: <u>\$334,632.00</u>	

3) Total gross receipts of \$850,000.00 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$348,016.79 (see **Exhibit 2**), yielded net receipts of \$501,983.21 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
SECURED CLAIMS (from Exhibit 3)	\$119,430.00	\$0.00	\$0.00	\$0.00
PRIORITY CLAIMS:				
CHAPTER 7 ADMIN. FEES AND CHARGES (from Exhibit 4)	\$0.00	\$334,632.00	\$334,632.00	\$334,632.00
PRIOR CHAPTER ADMIN. FEES AND CHARGES (from Exhibit 5)	\$0.00	\$0.00	\$0.00	\$0.00
PRIORITY UNSECURED CLAIMS (from Exhibit 6)	\$0.00	\$0.00	\$0.00	\$0.00
GENERAL UNSECURED CLAIMS (from Exhibit 7)	\$212,533.36	\$168,639.79	\$168,639.79	\$167,351.21
TOTAL DISBURSEMENTS	\$331,963.36	\$503,271.79	\$503,271.79	\$501,983.21

4) This case was originally filed under chapter 7 on 03/20/2014. The case was pending for 65 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 08/26/2019

By: /s/ Paul Gresk
Trustee

STATEMENT This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO
FINAL ACCOUNT**

EXHIBIT 1 – GROSS RECEIPTS

DESCRIPTION	UNIFORM TRAN. CODE ¹	\$ AMOUNT RECEIVED
LAWSUITS (2)	1242-000	\$850,000.00
TOTAL GROSS RECEIPTS		\$850,000.00
¹ The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.		

EXHIBIT 2 – FUNDS PAID TO DEBTOR & THIRD PARTIES

PAYEE	DESCRIPTION	UNIFORM TRAN. CODE	\$ AMOUNT PAID
AV		8500-000	\$100,000.00
DEREK & STACEY VANWINKLE		8500-000	\$148,016.79
MV		8500-000	\$100,000.00
TOTAL FUNDS PAID TO DEBTOR & THIRD PARTIES			\$348,016.79

EXHIBIT 3 - SECURED CLAIMS

Claim NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
N/F	Capital One Auto Finance	4110-000	\$22,778.00	NA	NA	NA
N/F	Green Tree Servicing	4110-000	\$91,958.00	NA	NA	NA
N/F	The Huntington National Bank	4110-000	\$4,694.00	NA	NA	NA
	TOTAL SECURED		\$119,430.00	\$0.00	\$0.00	\$0.00

EXHIBIT 4 – CHAPTER 7 ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
Trustee, Fees - Paul Gresk	2100-000	NA	\$12,266.09	\$12,266.09	\$12,266.09
Trustee, Expenses - Paul Gresk	2200-000	NA	\$133.37	\$133.37	\$133.37
Charges, U.S. Bankruptcy Court	2700-000	NA	\$260.00	\$260.00	\$260.00
Banking and Technology Service Fee - Rabobank, N.A.	2600-000	NA	\$311.11	\$311.11	\$311.11
Special Counsel for Trustee Fees - CLARK QUINN MOSES SCOTT & GRAHN	3210-600	NA	\$89,816.67	\$89,816.67	\$89,816.67
Special Counsel for Trustee Fees - PRICE WAICUKAUSKI JOVEN & CATLIN	3210-600	NA	\$193,516.66	\$193,516.66	\$193,516.66
Special Counsel for Trustee Expenses - CLARK QUINN MOSES SCOTT & GRAHN	3220-610	NA	\$5,645.15	\$5,645.15	\$5,645.15
Special Counsel for Trustee Expenses - PRICE WAICUKAUSKI JOVEN & CATLIN	3220-610	NA	\$32,682.95	\$32,682.95	\$32,682.95
TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES		NA	\$334,632.00	\$334,632.00	\$334,632.00

EXHIBIT 5 – PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
None					

EXHIBIT 6 – PRIORITY UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6E)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
None						

EXHIBIT 7 – GENERAL UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
1	Cohen & Malad, LLP	7100-000	NA	\$44,017.64	\$44,017.64	\$43,681.31
2	Discover Bank Discover Products INC	7100-000	NA	\$3,267.56	\$3,267.56	\$3,242.59
3	Von Maur, Inc.	7100-000	NA	\$159.43	\$159.43	\$158.21
4	Capital One Bank (USA), N.A.	7100-000	NA	\$5,814.46	\$5,814.46	\$5,770.03
5	Capital One Bank (USA), N.A.	7100-000	NA	\$978.62	\$978.62	\$971.14
6	Capital One Bank (USA), N.A.	7100-000	NA	\$921.91	\$921.91	\$914.87
7	Capital One Bank (USA), N.A.	7100-000	NA	\$1,805.88	\$1,805.88	\$1,792.08
8	Navient Solutions, Inc.	7100-000	NA	\$7,161.67	\$7,161.67	\$7,106.95
9	Navient Solutions, Inc.	7100-000	NA	\$2,145.83	\$2,145.83	\$2,129.43
10	Navient Solutions, Inc.	7100-000	NA	\$11,963.71	\$11,963.71	\$11,872.30
11	Navient Solutions, Inc.	7100-000	NA	\$2,067.46	\$2,067.46	\$2,051.66
12	Navient Solutions, Inc. Department of Education Loan Services	7100-000	NA	\$76,824.42	\$76,824.42	\$76,237.40
13	Capital One NA c/o Becket and Lee LLP	7100-000	NA	\$2,522.69	\$2,522.69	\$2,503.41
14	PYOD, LLC its successors and assigns as assignee of FNBM, LLC Resurgent Capital Services	7100-000	NA	\$765.61	\$765.61	\$759.76

15	PYOD, LLC its successors and assigns as assignee of Citibank, N.A. Resurgent Capital Services	7100-000	NA	\$2,751.85	\$2,751.85	\$2,730.82
16	PYOD, LLC its successors and assigns as assignee of Citibank, N.A. Resurgent Capital Services	7100-000	NA	\$5,471.05	\$5,471.05	\$5,429.25
N/F	AT&T	7100-000	\$100.81	NA	NA	NA
N/F	AT&T	7100-000	\$212.85	NA	NA	NA
N/F	CCB Credit Services, Inc.	7100-000	\$159.43	NA	NA	NA
N/F	Capital One Bank, N.A.	7100-000	\$5,713.00	NA	NA	NA
N/F	Capital One Bank, N.A.	7100-000	\$1,774.00	NA	NA	NA
N/F	Capital One Bank, N.A.	7100-000	\$963.00	NA	NA	NA
N/F	Capital One Bank, N.A.	7100-000	\$904.00	NA	NA	NA
N/F	Chase BP Private Label	7100-000	\$770.00	NA	NA	NA
N/F	Citibank/Sears	7100-000	\$2,670.11	NA	NA	NA
N/F	Cohen & Malad, LLP One Indiana Square	7100-000	\$43,500.00	NA	NA	NA
N/F	Community Health Network	7100-000	\$909.67	NA	NA	NA
N/F	Credit One Bank	7100-000	\$718.00	NA	NA	NA
N/F	Delbert Services	7100-000	\$14,440.44	NA	NA	NA
N/F	Department of Education/Sallie Mae	7100-000	\$70,423.00	NA	NA	NA
N/F	Discover Financial Services	7100-000	\$3,142.00	NA	NA	NA
N/F	GE Capital/Walmart	7100-000	\$422.00	NA	NA	NA

N/F	GE Capital/Walmart	7100-000	\$1,143.00	NA	NA	NA
N/F	GE/JCPENNEY	7100-000	\$655.00	NA	NA	NA
N/F	GECRB/Care One	7100-000	\$1,029.00	NA	NA	NA
N/F	GEMB/Old Navy	7100-000	\$227.00	NA	NA	NA
N/F	Home Depot/Citibank	7100-000	\$601.00	NA	NA	NA
N/F	Indiana University	7100-000	\$6,035.00	NA	NA	NA
N/F	Kohls/Capital One	7100-000	\$2,443.00	NA	NA	NA
N/F	Med-1 Solutions	7100-000	\$1,082.02	NA	NA	NA
N/F	MedShield, Inc.	7100-000	\$110.35	NA	NA	NA
N/F	Meijer	7100-000	\$682.00	NA	NA	NA
N/F	Mobiloans	7100-000	\$1,064.22	NA	NA	NA
N/F	Plain Green, LLC	7100-000	\$4,100.00	NA	NA	NA
N/F	Sallie Mae	7100-000	\$28,074.00	NA	NA	NA
N/F	Sallie Mae	7100-000	\$9,163.00	NA	NA	NA
N/F	Sears/Citibank	7100-000	\$5,320.68	NA	NA	NA
N/F	dsc delbert	7100-000	\$3,981.78	NA	NA	NA
TOTAL GENERAL UNSECURED CLAIMS			\$212,533.36	\$168,639.79	\$168,639.79	\$167,351.21

Form 1

Individual Estate Property Record and Report

Asset Cases

Exhibit 8

Page: 1

Case No.: 14-02251

Case Name: VANWINKLE, DEREK LEE
VANWINKLE, STACEY LEIGH

Trustee Name: (340550) Paul D. Gresk

Date Filed (f) or Converted (c): 03/20/2014 (f)

§ 341(a) Meeting Date: 05/07/2014

For Period Ending: 08/26/2019

Claims Bar Date: 06/30/2016

1 Asset Description (Scheduled And Unscheduled (u) Property) Ref. #	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Formally Abandoned OA=§554(a) abandon.	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1 LAWSUITS (2) (u)	0.00	10,000.00		850,000.00	FA
2 7618 MOULTRIE COURT, INDPLS IN 46217	100,000.00	0.00	OA	0.00	FA
3 INDIANA MEMBERS CREDIT UNION CHECKING ACCT #4404	500.00	Unknown	OA	0.00	FA
4 INDIANA MEMBERS CREDIT UNION SAVINGS ACCT #4404	50.00	Unknown	OA	0.00	FA
5 HOUSEHOLD GOODS AND FURNISHINGS	2,000.00	0.00	OA	0.00	FA
6 BOOKS AND PICTURES	50.00	0.00	OA	0.00	FA
7 CLOTHING	500.00	0.00	OA	0.00	FA
8 COSTUME JEWELRY AND WEDDING RINGS	500.00	0.00	OA	0.00	FA
9 2012 KIA SEDONA GOOD CONDITION 24,842 MI	17,000.00	0.00	OA	0.00	FA
10 2007 KIA SPORTAGE GOOD CONDITION 47,582 MI	4,500.00	0.00	OA	0.00	FA
10 Assets Totals (Excluding unknown values)	\$125,100.00	\$10,000.00		\$850,000.00	\$0.00

Major Activities Affecting Case Closing:

10/24/18 ORDER ON THE TRUSTEE'S APPLICATION FOR COMPENSATION WAS SIGNED.
 10/2/18 NFR WAS FILED. APPLICATION FOR TRUSTEE'S COMPENSATION WAS FILED. ORDER ON THE TRUSTEE'S APPLICATION FOR COMPENSATION WAS UPLOADED.
 6/7/18 MINUTE ENTRY ORDER - MOTION GRANTED, ORDER SIGNED.
 5/9/18 NOTICE OF HEARING ON THE APPLICATION FOR COMPENSATION FOR WILLIAM GOODEN AND RONALD J WAICUKAUSKI AS SPECIAL COUNSEL WAS SET FOR JUNE 7TH AT 10:30 IN ROOM 325
 5/5/18 APPLICATION FOR COMPENSATION FOR SPECIAL COUNSEL WAS FILED. ORDER ON THE APPLICATION FOR SPECIAL COUNSEL WAS UPLOADED.
 2/8/2018 ORDER GRANTING MOTION TO SETTLE WAS SIGNED BY THE JUDGE.
 11/9/17 AMENDED MOTION TO SETTLE WAS FILED. 10/26/17 MOTION TO SETTLE WAS FILED. 10/5/17 RECEIVED SETTLEMENT OFFER FROM ATTORNEY AND NEED RESPONSE SUBMITTED BY THE 9TH OF OCTOBER. REVIEWING PROPOSED OFFER WITH TRUSTEE.
 03/15/16 MOTION TO REOPEN. 03/15/16 MOTION FOR RELIEF FROM JUDGMENT. 03/16/16 RESUBMITTED ORDER FOR RELIEF WITH NEW JUDGE'S INITIALS PER COURTS INSTRUCTIONS.
 03/30/16 FILED NOTICE OF POSSIBLE ASSETS. 03/30/16 FILED APPLICATION TO EMPLOY SPECIAL COUNSEL.

Initial Projected Date Of Final Report (TFR): 09/30/2018

Current Projected Date Of Final Report (TFR): 07/24/2018 (Actual)

Form 1
Individual Estate Property Record and Report
Asset Cases

Exhibit 8

Page: 2

Case No.: 14-02251

Case Name: VANWINKLE, DEREK LEE
VANWINKLE, STACEY LEIGH

For Period Ending: 08/26/2019

Trustee Name: (340550) Paul D. Gresk

Date Filed (f) or Converted (c): 03/20/2014 (f)

§ 341(a) Meeting Date: 05/07/2014

Claims Bar Date: 06/30/2016

08/26/2019

Date

/s/Paul D. Gresk

Paul D. Gresk

Form 2

Exhibit 9

Page: 1

Cash Receipts And Disbursements Record

Case No.: 14-02251
Case Name: VANWINKLE, DEREK LEE
VANWINKLE, STACEY LEIGH
Taxpayer ID #: **-***8072
For Period Ending: 08/26/2019

Trustee Name: Paul D. Gresk (340550)
Bank Name: Rabobank, N.A.
Account #: *****3300 Checking
Blanket Bond (per case limit): \$36,630,939.00
Separate Bond (if applicable): N/A

1	2	3	4		5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
01/22/18		PRICE WAICUKAUSKI JOVEN & CATLIN, LLC TRUST ACCOUNT	SETTLEMENT		180,321.78		180,321.78
		PRICE WAICUKAUSKI JOVEN & CATLIN	ATTORNEY FEES -\$193,516.66	3210-600			
		CLARK QUINN MOSES SCOTT & GRAHN	ATTORNEY FEES -\$89,816.67	3210-600			
		PRICE WAICUKAUSKI JOVEN & CATLIN	ATTORNEY EXPENSES -\$32,682.95	3220-610			
		CLARK QUINN MOSES SCOTT & GRAHN	ATTORNEY EXPENSES -\$5,645.15	3220-610			
		MV	 -\$100,000.00	8500-000			
		AV	 -\$100,000.00	8500-000			
		DEREK & STACEY VANWINKLE	 -\$148,016.79	8500-000			
	{1}	PRICE WAICUKAUSKI JOVEN & CATLIN TRUST ACCOUNT	LAWSUIT SETTLEMENT \$850,000.00	1242-000			
01/31/18		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		69.16	180,252.62
02/19/18	101	US BANKRUPTCY COURTS	FILING FEE TO REOPEN CASE	2700-000		260.00	179,992.62
02/28/18		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		241.95	179,750.67
10/26/18	102	Paul Gresk	Distribution payment - Dividend paid at 43.27% of \$28,349.16; Claim # FEE; Filed: \$28,349.16	2100-000		12,266.09	167,484.58
10/26/18	103	Paul Gresk	Distribution payment - Dividend paid at 100.00% of \$133.37; Claim # TE; Filed: \$133.37	2200-000		133.37	167,351.21
10/26/18	104	Cohen & Malad, LLP	Distribution payment - Dividend paid at 99.24% of \$44,017.64; Claim # 1; Filed: \$44,017.64	7100-000		43,681.31	123,669.90
10/26/18	105	Discover Bank Discover Products INC	Distribution payment - Dividend paid at 99.24% of \$3,267.56; Claim # 2; Filed: \$3,267.56	7100-000		3,242.59	120,427.31
10/26/18	106	Von Maur, Inc.	Distribution payment - Dividend paid at 99.23% of \$159.43; Claim # 3; Filed: \$159.43	7100-000		158.21	120,269.10
10/26/18	107	Capital One Bank (USA), N.A.	Distribution payment - Dividend paid at 99.24% of \$5,814.46; Claim # 4; Filed: \$5,814.46	7100-000		5,770.03	114,499.07
10/26/18	108	Capital One Bank (USA), N.A.	Distribution payment - Dividend paid at 99.24% of \$978.62; Claim	7100-000		971.14	113,527.93

Page Subtotals: \$180,321.78 \$66,793.85

Form 2

Exhibit 9

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Cash Receipts And Disbursements Record

Case No.: 14-02251
Case Name: VANWINKLE, DEREK LEE
 VANWINKLE, STACEY LEIGH
Taxpayer ID #: **_***8072
For Period Ending: 08/26/2019

Trustee Name: Paul D. Gresk (340550)
Bank Name: Rabobank, N.A.
Account #: *****3300 Checking
Blanket Bond (per case limit): \$36,630,939.00
Separate Bond (if applicable): N/A

1	2	3	4		5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
			# 5; Filed: \$978.62				
10/26/18	109	Capital One Bank (USA), N.A.	Distribution payment - Dividend paid at 99.24% of \$921.91; Claim # 6; Filed: \$921.91	7100-000		914.87	112,613.06
10/26/18	110	Capital One Bank (USA), N.A.	Distribution payment - Dividend paid at 99.24% of \$1,805.88; Claim # 7; Filed: \$1,805.88	7100-000		1,792.08	110,820.98
10/26/18	111	Navient Solutions, Inc.	Distribution payment - Dividend paid at 99.24% of \$7,161.67; Claim # 8; Filed: \$7,161.67	7100-000		7,106.95	103,714.03
10/26/18	112	Navient Solutions, Inc.	Distribution payment - Dividend paid at 99.24% of \$2,145.83; Claim # 9; Filed: \$2,145.83	7100-000		2,129.43	101,584.60
10/26/18	113	Navient Solutions, Inc.	Distribution payment - Dividend paid at 99.24% of \$11,963.71; Claim # 10; Filed: \$11,963.71	7100-000		11,872.30	89,712.30
10/26/18	114	Navient Solutions, Inc.	Distribution payment - Dividend paid at 99.24% of \$2,067.46; Claim # 11; Filed: \$2,067.46	7100-000		2,051.66	87,660.64
10/26/18	115	Navient Solutions, Inc. Department of Education Loan Services	Distribution payment - Dividend paid at 99.24% of \$76,824.42; Claim # 12; Filed: \$76,824.42	7100-000		76,237.40	11,423.24
10/26/18	116	Capital One NA c/o Becket and Lee LLP	Distribution payment - Dividend paid at 99.24% of \$2,522.69; Claim # 13; Filed: \$2,522.69	7100-000		2,503.41	8,919.83
10/26/18	117	PYOD, LLC its successors and assigns as assignee of FNB, LLC Resurgent Capital Services	Distribution payment - Dividend paid at 99.24% of \$765.61; Claim # 14; Filed: \$765.61	7100-000		759.76	8,160.07
10/26/18	118	PYOD, LLC its successors and assigns as assignee of Citibank, N.A. Resurgent Capital Services	Distribution payment - Dividend paid at 99.24% of \$2,751.85; Claim # 15; Filed: \$2,751.85	7100-000		2,730.82	5,429.25
10/26/18	119	PYOD, LLC its successors and assigns as assignee of Citibank, N.A. Resurgent Capital Services	Distribution payment - Dividend paid at 99.24% of \$5,471.05; Claim # 16; Filed: \$5,471.05	7100-000		5,429.25	0.00

COLUMN TOTALS

180,321.78

180,321.78

\$0.00

Less: Bank Transfers/CDs

0.00

0.00

Subtotal

180,321.78

180,321.78

Less: Payments to Debtors

0.00

NET Receipts / Disbursements

\$180,321.78

\$180,321.78

Form 2

Exhibit 9

Page: 3

Cash Receipts And Disbursements Record

Case No.: 14-02251
Case Name: VANWINKLE, DEREK LEE
 VANWINKLE, STACEY LEIGH
Taxpayer ID #: **_***8072
For Period Ending: 08/26/2019

Trustee Name: Paul D. Gresk (340550)
Bank Name: Rabobank, N.A.
Account #: *****3300 Checking
Blanket Bond (per case limit): \$36,630,939.00
Separate Bond (if applicable): N/A

TOTAL - ALL ACCOUNTS	NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCES
*****3300 Checking	\$180,321.78	\$180,321.78	\$0.00
	\$180,321.78	\$180,321.78	\$0.00

08/26/2019

Date

/s/Paul D. Gresk

Paul D. Gresk